

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 13, 2002. Claims 1 to 8 and 10 to 17 remain in the application. Claims 9 and 18 have been canceled without prejudice or disclaimer of the subject matter therein, and Claim 1 has been amended. Claims 1 and 10 are the independent claims. Reconsideration and further examination are respectfully requested.

Initially, Applicant notes the indication in the summary of the Office Action that the certified copy of the priority document has not been received in the Office. On August 15, 2002, Applicant submitted the priority document, as evidenced by the enclosed copy of the stamped postcard.

In addition, there is no indication in the Office Action that the Information Disclosure Statement filed by Applicant on May 14, 2002 has been considered. Applicant has also filed an August 14, 2002 Information Disclosure Statement citing additional art. Applicant respectfully requests that the art cited in the May 14, 2002 and the August 14, 2002 Information Disclosure Statements be considered and that initialed copies of the Form PTO-1449 be returned.

Turning to the first paragraph numbered one at page 2 of the Office Action, concerning the Examiner's amendment cancelling Claims 9 and 18. Under the present circumstances, an Examiner's amendment cancelling these claims is procedurally improper.<sup>1</sup> As set forth in MPEP § 812.01, when an oral election to a telephone restriction requirement is made, a formal restriction requirement should be presented in an Office

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<sup>1/</sup> Further, an amendment under 37 C.F.R. § 1.312 is not appropriate, since the present application has not yet been allowed.

Action, and the claims not elected be withdrawn from consideration. Nonetheless and for the sake of advancing prosecution in the present application, Applicant cancels Claims 9 and 18 herein.

Turning to the rejection of the pending claims, Claims 1 to 8 and 10 to 17 have been rejected under 35 U.S.C. § 102(e) over U.S. Patent 6,180,497.

Applicant has amended Claim 1 to even more clearly define the invention. More particularly, Claim 1 recites an annealing method of annealing an SOI substrate in a reducing atmosphere, comprising the step of holding the SOI substrate by a holding portion having a surface formed from silicon and annealing the SOI substrate, wherein the holding portion is a member having a silicon film thereon or a member formed from single-crystal silicon or polysilicon.

Sato is seen to describe a boat (boat 121 shown in Figure 8) that is made of silicon carbide. See col. 17, lines 1 to 3. As discussed in the present application, the present inventors have found that a boat formed from silicon carbide by sintering becomes a source of metal contamination.

In contrast to Sato, the annealing method recited in Claim 1 of the present application uses a holding portion having a silicon film thereon or is formed from single-crystal silicon or polysilicon.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance.

Claim 10 is directed to a method of annealing an SOI substrate in a reducing atmosphere, comprising the step of holding the SOI substrate by a holding portion which

contains no silicon carbide formed by sintering and has a surface formed from silicon carbide deposited by CVD and annealing the SOI substrate.

Sato is not seen to teach or to suggest forming a surface of a holding portion from silicon carbide deposited by CVD. While Sato describes using CVD, Sato is seen to describe using CVD to form a semiconductor base member of an SOI wafer. For example, Sato describes forming a nonporous layer of the base member on the surface of a porous layer by means of CVD.

Forming a layer of an SOI wafer base member using CVD is seen to be different from forming a surface of a holding portion from silicon carbide deposited by CVD. Nothing in Sato is seen to teach or to suggest forming a surface of a holding portion from silicon carbide deposited by CVD.

Therefore, for at least the foregoing reasons, Claim 10 is believed to be in condition for allowance.

Claims 2 to 8 and 11 to 17 are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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Application No. 10/091,461  
Attorney Docket No. 00862.022541.

## APPENDIX

### VERSION WITH MARKINGS TO SHOW CHANGES MADE TO THE SPECIFICATION

Please amend the paragraph beginning at page 7, line 22 and ending at page 8, line 7 has been amended to read as follows:

The shape of a boat serving as a holding tool will be described with reference to Figs. 3 and 4. Fig. 3 shows a wafer boat (*i.e.*, wafer boat 8) [7] applied to this embodiment. Four columns 11 symmetrically stand on a ring-shaped bottom plate 10. A ring-shaped plate 12 is fixed on the upper ends of the columns 11. Each column 11 has a circular section. A number of wafer loading grooves 13 are formed in the vertical direction at a predetermined pitch in each column 11 on a side opposing the central axis of the wafer boat 8 [7.] Wafers are inserted into the grooves 13 of the four columns 11 and supported by a wafer boat 8 at the four groove portions.

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Amended) An annealing method of annealing an SOI substrate in a reducing atmosphere, comprising the step of:

holding the SOI substrate by a holding portion having a surface formed from silicon and annealing the SOI substrate, wherein the holding portion is a member having a silicon film thereon or a member formed from single-crystal silicon or polysilicon.